

**Amendments to the Drawings:**

The attached sheet(s) of drawings includes changes to Figs. 3, 5, and 6. These sheets, which includes Figs. 3, 4, 5, and 6, replaces the original sheet(s) including Figs. 3, 4, 5, and 6. Figures 3, 5, and 6 have been amended to change "casual factor" to "causal factor."

Attachment: Replacement Sheet

## **Remarks**

The Applicants respectfully request reconsideration of the rejections and that the case pass to issue in light of the amendments above and the remarks below.

### **Rejection of Under 35 U.S.C. § 112, Second Paragraph**

Claims 17-20 stand rejected under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention. This rejection is particularly addressed to whether claim 17 is properly directed to a "manufacturer" or "process". The Applicants submit the amendments to claim 17 obviate this rejection.

### **Rejections Under 35 U.S.C. § 101**

Claims 17-20 stand rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. The Applicants respectfully submit that the amendments to independent claim 17 obviate this rejection.

### **Rejections Under 35 U.S.C. § 102(e)**

Claims 1, 9, 10, and 17 stand rejected under 35 U.S.C. § 102(e) as being anticipated by USPN 6,970,831 to Anderson. This rejection covers each of the pending independent claims 1, 9, and 17. Each of the rejected independent claims are separately addressed below.

#### **Independent Claim 1**

Independent claim 1 relates to a system for auditing. The system includes an audit survey module configured to display at least one audit survey having a number of audit questions. The survey module displays selectable answers for each of the audit questions. The selectable

answers are limited to one of yes, no, or not applicable. The system further includes a comment module configured to receive a comment to each of the questions from a user answering the questions. A number of predefined classifications are also provided and used by the user to classify the comments so that each comment is classified according to one of the predefined classifications. In this manner, the present invention not only collects answers but it also collects additional comments provided by a user and categorizes the comments and related answers according to the predefining classifications.

The Examiner submits that the Anderson patent discloses each of the limitations recited in independent claim 1. The Applicants respectfully disagree. In order to disclose each element in independent claim 1, the Anderson patent must disclose not only collecting a user's answer to the questions but also collecting additional comments on the answers and a classification for the comments. The Anderson patent fails to disclose these features.

The Anderson patent merely relates to a method for evaluating customer service performance with a computer software application (abstract). A user desiring to survey customers may select the questions being asked from a number of questions that are divided according to pre-defined survey groups and survey categories. The questions that fall within the selected group and category are then presented to a customer during checkout in order to assess employee performance. (Column 3, lines 5-35). Importantly, the customer is only able to input an answer to the questions. The customer is not required or able to input comments or to input comment classifications.

The presently claimed invention requires a customer to not only input answers, but to input at least one comment and categorize the inputted comment according to a number of pre-defined classifications. The Anderson patent only relies on categories and groups to select the questions. It does not use or provide any reason to use similar classifications to classify comments since the Anderson patent teaches away from receiving anything but answers to the questions. As such, the Applicants respectfully submit that the Anderson patent fails to disclose each element recited in independent claim 1 such that independent claim 1 and the claims that depend therefrom are patentable and nonobvious over the Anderson patent.

**Independent Claim 9**

Independent claim 9 relates to a computer-implemented method for auditing. The method includes receiving answers to questions included within an audit and a comment on at least one of the answers. The comments are used by the user to provide additional commentary on the answer. The comments are then associated with a selectable classification. As noted above with respect to independent claim 1, the Anderson patent fails to disclose a process where the user answering the question must not only answer the question but also provide a comment and a classification for the comment. As such, the Applicants respectfully submit that independent claim 9 and the claims that depend therefrom are patentable and nonobvious over the Anderson patent.

**Independent Claim 17**

Independent claim 17 relates to a web-based method for conducting and monitoring a number of audits. The method includes displaying at least one audit survey and a number of audit questions having selectable answers. The method further providing a comment entry field for receiving a textual description of a comment that a user answering one of the questions adds to provide additional commentary on why the selected answer was selected. As noted above with respect to independent claim 1, the Anderson patent fails to disclose a process where the user answering the question must not only answer the question but also provide a comment and a classification for the comment. As such, the Applicants respectfully submit that independent claim and the claims that depend therefrom are patentable and nonobvious over the Anderson patent.

**Rejections Under 35 U.S.C. § 103(a)**

The Examiner has set forth a number of rejections under 35 U.S.C. § 103(a). The Applicants respectfully submit that these rejections are obviated in light of the amendments and remarks made with respect to the above mentioned independent claims.

**Conclusion**

In view of the foregoing, the Applicants respectfully submit that each rejection has been fully replied to and traversed and that the case is in condition to pass to issue. The Examiner is respectfully requested to pass the case to issue and is invited to contact the undersigned if it would further prosecution of the case to issue.

The Petition fee of \$120.00 is being charged to the Deposit Account of Ford Global Technologies LLC, No. 06-1510 via electronic authorization submitted concurrently herewith. The Commissioner is hereby authorized to charge any additional fees or credit any overpayments as a result of the filing of this paper to the Deposit Account of Ford Global Technologies LLC, No. 06-1510.

Respectfully submitted,

**Barbara Ann Benson**

By /John R. Buser/  
John R. Buser  
Reg. No. 51,517  
Attorney/Agent for Applicant

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**BROOKS KUSHMAN P.C.**  
1000 Town Center, 22nd Floor  
Southfield, MI 48075-1238  
Phone: 248-358-4400  
Fax: 248-358-3351